

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	:	
	:	
Didier LEFEVRE et al.	:	
	:	
Serial No.: To be assigned	:	Art Unit: To be assigned
	:	
Filed: Herewith	:	Examiner: To be assigned
	:	
For: REAGENT AND PROCESS FOR THE	:	Atty Docket: 20198/0059
IDENTIFICATION AND COUNTING OF	:	
BIOLOGICAL CELLS	:	

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to initial examination, please amend the above-captioned case as follows.

**IN THE CLAIMS:**

Kindly amend claim 12 as follows:

12. (Amended) Process for the identification and counting of biological cells in a sample, in particular in a blood sample, characterized in that it comprises the following operations:

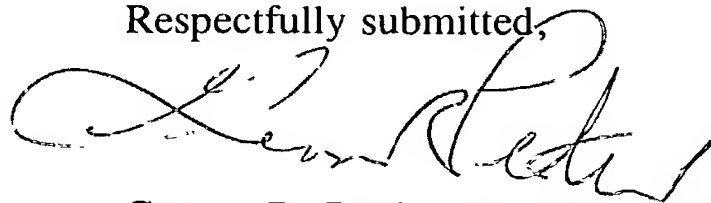
- mixing and incubating the sample with a reagent according to claim 1 in order to effect, in a single stage, the lysis of cells of a given type, in particular erythrocytes, the staining of the intracellular nucleic acids, and the fixing of the nucleate cells;

- measuring the resultant solution by flow cytometry using at least two measuring parameters selected from resistive volume, axial luminous diffraction, axial luminous transmission, orthogonal luminous transfusion, and fluorescence; and
- classifying and counting the nucleate cells in populations by means of the measured parameters.

### REMARKS

The claims have been amended to eliminate multiple dependency and to improve their format. None of these amendments is believed to involve any new matter. Accordingly, it is respectfully requested that the foregoing amendments be entered, that the application as so amended receive an examination on the merits, and that the claims as now presented receive an early allowance.

Respectfully submitted,



George R. Pettit, Reg. No. 27,369  
 Connolly Bove Lodge & Hutz LLP  
 1990 M Street, N.W., Suite 800  
 Washington, D.C. 20036-3425  
 Telephone: 202-331-7111

Date: 2/25/02

**MARKED-UP REVISIONS****IN THE CLAIMS:**

12. (Amended) Process for the identification and counting of biological cells in a sample, in particular in a blood sample, characterized in that it comprises the following operations:

- mixing and incubating the sample with a reagent according to [one of claims 1 to 11] claim 1 in order to effect, in a single stage, the lysis of cells of a given type, in particular erythrocytes, the staining of the intracellular nucleic acids, and the fixing of the nucleate cells;
- measuring the resultant solution by flow cytometry using at least two measuring parameters selected from resistive volume, axial luminous diffraction, axial luminous transmission, orthogonal luminous transfusion, and fluorescence; and
- classifying and counting the nucleate cells in populations by means of the measured parameters.